

Electronically Recorded

Tarrant County Texas

Official Public Records

7/16/2010 2:56 PM

D210172412



PGS 3 \$24.00

- AMENDMENT OF OIL, GAS AND MINERAL LEASE

STATE OF TEXAS §
 §
 COUNTY OF TARRANT §

WHEREAS, Investments Great Southwest, Inc., a Texas corporation ("Lessor") whose address is 4775 North Freeway, Fort Worth, Texas 76106, executed an Oil and Gas Lease (the "Lease") dated August 17, 2007, a Memorandum of which is recorded as Instrument No. D207317396 in the Official Records of Tarrant County, Texas, in favor of XTO Energy Inc. ("Lessee") covering the following land (the "Land"):

25.063 acres, more or less, being a certain lot, tract or parcel of land located in the David Odum Survey, A-1184, also described as being a portion of Block 6R, Lots 4, 5, 6, 7 & 8A, Great Southwest Industrial Park of Fort Worth-GSC Mark IV, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-42, Page 8 of the Plat Records of Tarrant County, Texas, and being the same lands described in Special Warranty Deed dated effective December 19, 2001 from Mark IV Joint Venture to Ascend Alliance, L.P., a Texas limited partnership, recorded in Volume 13702, Page 497 of the Tarrant County, Texas Records;

LESS AND EXCEPT 2.545 acres, more or less, being a certain lot, tract or parcel of land located in the David Odum Survey, A-1184, also described as being all of Block 6R, Lot 4, Great Southwest Industrial Park of Fort Worth-GSC Mark IV, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof recorded in Cabinet A, Slide 8190, of the Plat Records of Tarrant County, Texas, and being the same land described in Special Warranty Deed dated July 25, 2005, from Ascend Alliance, L.P., a Texas limited partnership to The Prowler Group, Inc., recorded in Instrument No. D205217957 of the Tarrant County, Texas Records;

LESS AND EXCEPT 0.041 acres, more or less, being a certain lot, tract or parcel of land located in the David Odum Survey, A-1184, also described as being all of Block 6R, Lot 8B, Great Southwest Industrial Park of Fort Worth-GSC Mark IV, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-42, Page 8, of the Plat Records of Tarrant County, Texas, and being the same land described in Special Warranty Deed dated December 21, 2001, from Ascend Alliance, L.P., a Texas limited partnership to L&S Land Company Ltd. and The Baldwin Land Company, Inc., recorded in Instrument No. D201316065 of the Tarrant County, Texas Records;

And or Plus 1.382 acres of land, more or less, being to the center of I-35W R-O-W, that runs along the East side of the Ascend Alliance, L.P. land, being out of the David Odum Survey, A-1184, and being a part of the same land described in Judgment dated October 28, 1964, The State of Texas vs. Julius Bruner, et al, recorded in Volume 3995, Page 136 of the Tarrant County, Texas Records.

Since the execution and recording of the Lease, it has been discovered that the description of the lands contained in the Lease is incorrect. Lessor and Lessee desire to correct the land description in the Lease to accurately identify the lands covered by the Lease.

For adequate consideration, Lessor and Lessee acknowledge and agree that the description of the lands covered by and subject to the Lease is corrected so that the Lease covers the following lands located in Tarrant County, Texas (the "Corrected Lands"):

25.063 acres, more or less, being a certain lot, tract or parcel of land located in the David Odum Survey, A-1184, also described as being a portion of Block 6R, Lots 4, 5, 6, 7 & 8A, Great Southwest Industrial Park of Fort Worth-GSC Mark IV, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-42, Page 8 of the Plat Records of Tarrant County, Texas, and being the same lands described in Special Warranty Deed dated effective December 19, 2001 from Mark IV Joint Venture to Ascend Alliance, L.P., a Texas limited partnership, recorded in Volume 15348, Page 8 of the Tarrant County, Texas Records;

LESS AND EXCEPT 2.545 acres, more or less, being a certain lot, tract or parcel of land located in the David Odum Survey, A-1184, also described as being all of Block 6R, Lot 4, Great Southwest Industrial Park of Fort Worth-GSC Mark IV, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof recorded in Cabinet A, Slide 8190, of the Plat Records of Tarrant County, Texas, and being the same land described in Special Warranty Deed dated July 25, 2005, from Ascend Alliance, L.P., a Texas limited partnership to The Prowler Group, Inc., recorded in Instrument No. D205217957 of the Tarrant County, Texas Records;

LESS AND EXCEPT 0.041 acres, more or less, being a certain lot, tract or parcel of land located in the David Odum Survey, A-1184, also described as being all of Block 6R, Lot 8B, Great Southwest Industrial Park of Fort Worth-GSC Mark IV, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-42, Page 8, of the Plat Records of Tarrant County, Texas, and being the same land described in Special Warranty Deed dated December 21, 2001, from Ascend Alliance, L.P., a Texas limited partnership to L&S Land Company Ltd. and The Baldwin Land Company, Inc., recorded in Instrument No. D201316065 of the Tarrant County, Texas Records;

And or Plus 1.382 acres of land, more or less, being to the center of I-35W R-O-W, that runs along the East side of the Ascend Alliance, L.P. land, being out of the David Odum Survey, A-1184, and being a part of the same land described in Judgment dated October 28, 1964, The State of Texas vs. Julius Bruner, et al, recorded in Volume 3995, Page 136 of the Tarrant County, Texas Records.

FURTHERMORE, Lessor and Lessee desire to amend the Lease as set forth herein.

NOW, THEREFORE, for \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee hereby agree that the Lease is hereby amended as follows:

Paragraph 39 of the Exhibit "A" where it states "the phrase "640 acres" is hereby omitted in its entirety and replaced with the phrase "320 acres." shall be replaced with "the phrase "640 acres" is hereby omitted in its entirety and replaced with the phrase 420 acres plus ten percent (10%"); and

That the primary term stipulated in paragraph 2 of said lease is hereby changed from three (3) years to four (4) years from the date of said lease.

Lessor and Lessee hereby adopt, ratify and confirm the Lease as to all of the terms and provisions therein, as amended by this Amendment of Oil, Gas and Mineral Lease, and for the same consideration, Lessor does hereby lease, grant, demise and let the interest of Lessor in the Land covered by the Lease, as amended by this Amendment of Oil, Gas and Mineral Lease, unto

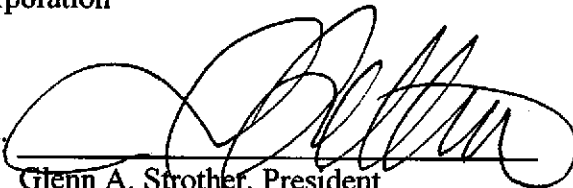
Lessee, and its successors and assigns, in accordance with all of the terms and provisions of the Lease, as amended by this Amendment of Oil, Gas and Mineral Lease.

Except as amended by this Amendment of Oil, Gas and Mineral Lease, the Lease is and remains in full force and effect as originally written.

This Amendment of Oil, Gas and Mineral Lease is executed this 16th day of July, 2010.

LESSOR:

Investments Great Southwest, Inc. a Texas corporation

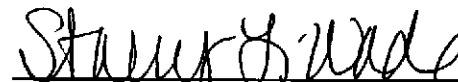
By: 
Glenn A. Strother, President

STATE OF TEXAS §

COUNTY OF TARRANT §

This instrument was acknowledged before me on this 16 day of July, 2010, by Glenn A. Strother as President of Investments Great Southwest, Inc., a Texas corporation, on behalf of said corporation.




Notary Public, State of Texas